

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

HARRY L. SAMUEL

Plaintiff,

v.

THOMAS CARROLL, ET. AL

Defendants,

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C.A. No. 05-037- SLR

JURY OF 12 DEMANDED

MOTION FOR CONTINUANCE

Defendant, First Correctional Medical, respectfully requests a thirty day extension to respond to the Complaint and/or Motion for Default Judgment for the following reason:

1. Defendant, First Correctional Medical is no longer in possession of the medical records germane to Plaintiff's allegation, as they are no longer the health care provider for the State of Delaware.

WHEREFORE, Defendant, First Correctional Medical requests that their Motion for a Continuance be granted.

McCULLOUGH & McKENTY, P.A.

/s/ Dana Spring Monzo

Dana Spring Monzo

1225 N. King Street, Suite 1100

P.O. Box 397

Wilmington, DE 19899-0397

(302) 655-6749

Attorney for Defendant First Correctional Medical

Date: May 26, 2006

IN THE UNITED STATES DISTRICT COURT
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ORDER

And now this _____ day of _____, 2006 having considered
Defendant, First Correctional Medical's Motion for Continuance and any opposition thereto,

IT IS HEREBY ORDERED that Defendant, First Correctional Medical's Motion for
Continuance is granted.

J.

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DISTRICT OF DELAWARE

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JURY OF 12 DEMANDED

CERTIFICATE OF SERVICE

I, **DANA SPRING MONZO**, hereby certify that on the 26th day of March, 2006, copies of the attached *Defendant First Correctional Medical's Motion for Continuance* were served upon the following:

Via Electronic Service

Kevin J. Connors
1220 N. Market Street, Suite 500
P.O. Box 8888
Wilmington, DE 19899

Ophelia M. Waters
820 N. French Street, 8th Floor
Wilmington, DE 19801

Via U.S. Mail

Harry L. Samuel
SBI# 201360
Delaware Correctional Center
1181 Paddock Road
Smyrna, DE 19977

McCULLOUGH & McKENTY, P.A.

/s/ Dana Spring Monzo

Dana Spring Monzo

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Attorney for Defendant First Correctional Medical

Dated: May 26, 2006